

No 5924 Equities

appointed time and place proceed to take the following evidence to wit -  
The Plaintiff filed with the Examiner as evidence Exhibits A, B, C and J. W. P. which are herewith returned.

William Mott a Witness of Lawful age produced on the part of the Plaintiff being duly sworn and Examined deposes and says as follows: -  
Q. Did you know Mary Fox late of Frederick County? If yes, is she living or dead, and if dead when and where did she die, and did she die Testate or intestate, and if intestate who is her Administrator?

Ans. I know her, she was my Mother, she is dead. She died in Frederick County in August 1886, she left no will, I William Mott, am her Administrator.

2<sup>nd</sup> Q. Was the said Mary Fox at the time of her death married or single, and if married, did she leave a husband? If yes give his Name, Age and residence?

Ans. She was married. She left a husband named William Fox, who age is about 65 years and he resides in Frederick County.

Testimony

3<sup>rd</sup> Q. Did the said Mary Fox leave any children or other heirs at law? If yes, give their Names, Ages, and Residences, and if any of them are married, the same facts of their husbands or wives?

Ans. She left the following children and heirs at law, she being born married twice; her first Husband having been Walter Mott, and her last husband, William H. Fox. Her children and their husbands and wives are as follows: -

1. A daughter Sarah, now the wife of Jacob Shanly, both whom are Adults.
2. A son William Mott (present Witness) whose wife's name is Susan Mott both of whom are Adults.
3. Franklin Mott, a son whose wife's name is Margaret, both of whom are adults.
4. A daughter Annina Rodgers, now the wife of William Rodgers, both Adults.
5. A daughter Annie who was the wife of Henry Boger but who died since her mother leaving her husband, who is about 30 years of age, and the following children; (1) Arthur Boger, (2) Ella Boger, (3) Aunt Mary Boger, all three of whom are infants under twenty-one years of age.
6. A son by her second marriage who is named Willard Fox and who is an Adult - All of the parties named in this answer are residents of Frederick County.

4<sup>th</sup> Q. Did the said Mary Fox die seized and possessed of any Real Estate in Frederick County? If yes describe the same and look at Exhibit J. W. P. and state if it truly and correctly describes the same?

Ans. She did. It consists of a house and lot about one half of a mile from Ladysburg. Look at Exhibit J. W. P. and show me and that describes the said Property.

5<sup>th</sup> Q. State whether the personal estate of the said Mary Fox is sufficient to pay all her just debts? State your knowledge fully herein?

Ans. Her personal Estate is not sufficient to pay all her debts, I am her Administrator and have settled my accounts with the Orphans Court and have overpaid the Estate \$27. - and some cents and there are other debts yet unpaid.

6<sup>th</sup> Q. State whether or not the said Mary Fox was indebted at the time of her death to the Plaintiff Joseph Fogle? If yes, or what account, and give all your knowledge herein? - - - - -

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Plaintiff -

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